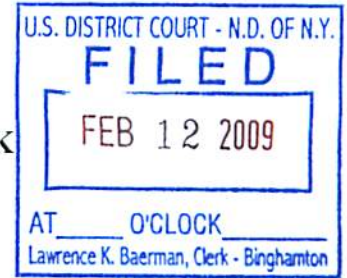


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

V.

JOHN PUGLISI,

DEFENDANT.

INDICTMENT  
3:09-CR-75  
[TJM]

THE GRAND JURY CHARGES THAT:

COUNT 1  
[PRODUCTION OF CHILD PORNOGRAPHY]

Between on and about December 4, 2008 and January 23, 2009, in the Northern District of New York, **JOHN PUGLISI**, the defendant herein, did knowingly attempt to and did employ, use, persuade, induce, entice, and coerce a minor, whose identity is known to the grand jury, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, knowing and having reason to know that such visual depictions would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and said visual depictions were produced and transmitted using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce, and such visual depictions were actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, in that defendant **JOHN PUGLISI** caused the minor to use a camera on a cellular telephone, which was manufactured outside the State of New York, to photograph herself while engaged in sexually explicit conduct and transmit the images to him



using the cellular telephone.

In violation of Title 18, United States Code, Section 2251(a).

**COUNT 2**  
**[PERSUADING, INDUCING AND ENTICING A MINOR TO ENGAGE IN**  
**SEXUAL CONDUCT]**

Between on and about December 4, 2008 and January 23, 2009, in the Northern District of New York, **JOHN PUGLISI**, the defendant herein, while using a facility and means of interstate and foreign commerce, which included text messaging, picture messaging, wire communications, and other transmissions by use of cellular telephones and computers, knowingly attempted to and did persuade, induce, entice, and coerce a minor under eighteen (18) years of age, whose identity is known to the grand jury, to engage in sexual activity under such circumstances as would constitute a criminal offense under the New York State Penal Law prohibiting Rape in the Third Degree [NYSPL 130.25(2)], Attempted Rape in the Third Degree [NYSPL 110/130.25(2)], Criminal Sexual Act in the Third Degree [NYSPL 130.40(2)], Sexual Abuse in the Third Degree [NYSPL 130.55(2)] and Endangering the Welfare of a Child [NYSPL 260.10(1)].

In violation of Title 18, United States Code, section 2422(b).

**COUNT 3**  
**[POSSESSION OF CHILD PORNOGRAPHY]**

Between on and about December 4, 2008 and January 23, 2009, in the Northern District of New York, **JOHN PUGLISI**, the defendant herein, knowingly attempted to and



possessed and accessed with intent to view material that contained images of child pornography that had been shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and that were produced using materials which had been mailed, shipped, and transported in and affecting interstate and foreign commerce, in that, defendant knowingly accessed and viewed images of child pornography using a cellular telephone, and defendant possessed cellular telephones containing images of child pornography, knowing that the material contained a visual depiction, the production of which involved the use of a minor engaged in sexually explicit conduct.

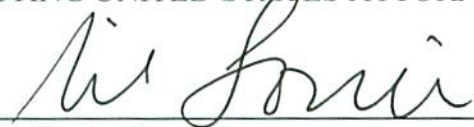
In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

**A TRUE BILL**

Dated: February 12, 2009  
Binghamton, New York

  
**FOREPERSON OF THE GRAND JURY**

ANDREW T. BAXTER  
ACTING UNITED STATES ATTORNEY

  
By: Miroslav Lovric  
Assistant U.S. Attorney